RCRA Regulatory Update

RCRA Regulatory Update

Target Audience:

Primary: RCRA compliance personnel

Secondary: RCRA technical support staff

Objectives:

1. To become aware of what's new with Federal RCRA since last year.
2. Using the New Manifest

RCRA Regulatory Update

What's Happened Lately?

- Implementation of the New Manifest
- E-Manifesting Update
- The New Burden Reduction Rule
- The New Standardized Permits Rule
- The New MCE Rule

The New Manifest

Resources:

- Key Federal Registers
  - Mar 4, 2005 FR Final Rule
  - Jun 16, 2005 FR Correction
- Access FR at:

  http://www.gpoaccess.gov/fr/index.html
- EPA Manifest Registry at: http://www.epa.gov/epaoswer/hazwaste/gener/manifest/registry/

The New Manifest

Key dates:

- Use old manifest through September 4, 2006
- Shipments initiated on or after September 5, 2006 must be on new manifest
- Forms not available yet, expected around June or July.

Registry for Manifest Printers

Sources for new manifest forms:

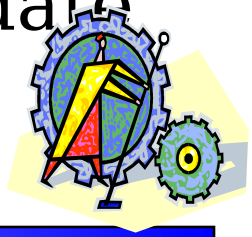
EPA registry website - http://www.epa.gov/epaoswer/hazwaste/gener/manifest/registry/printers.htm

- **Registrant Name**
- **Whether registrant sells manifests**
- **POC for purchasing**
- **Approved Manifest Tracking Number Suffix**

Manifest Registry

Per EPA:

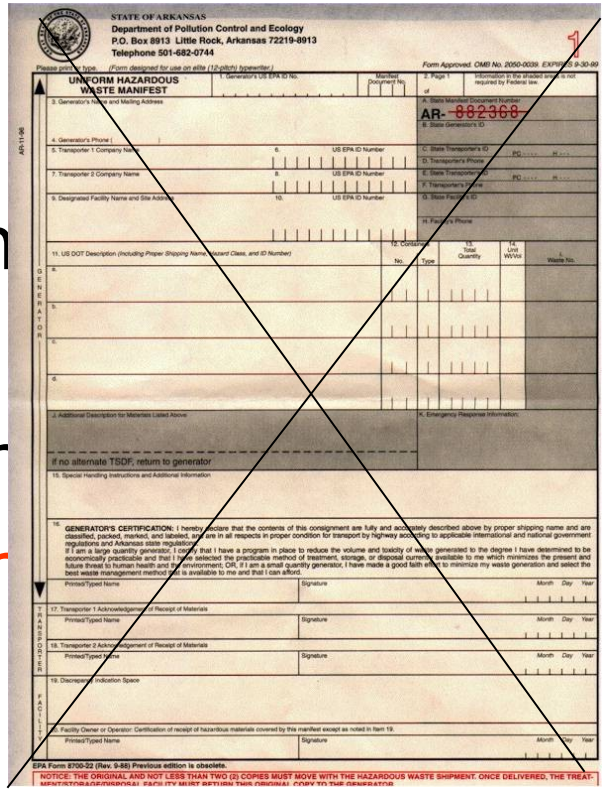
- No applicants approved yet
- 14 applications pending
- Sample forms need to be submitted and tested by EPA before approval
- First approval expected at the end of May
- No plan to change implementation date



The New Manifest

Changes to the Manifest Form

- No “State optional” blocks
- Removed blocks regarding:
  - State manifest tracking num
  - State generator ID number
  - State transporter ID number
  - Transporter’s phone number
  - State facility ID number

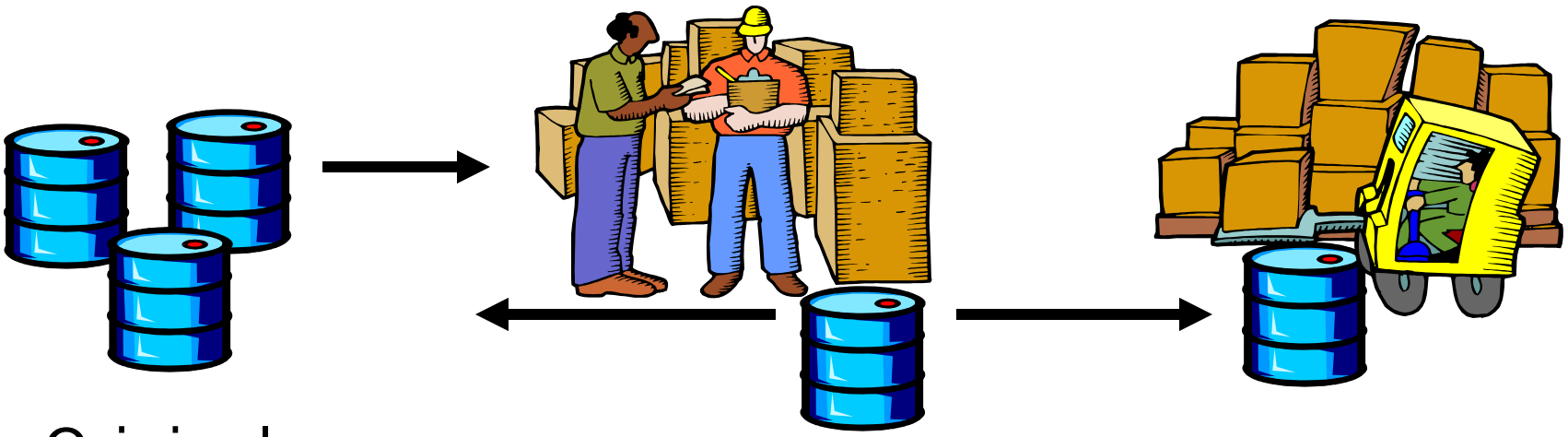


The New Manifest

- Generator ID - Use EPA ID number if different than State ID number
- Precision in quantity and units
  - actual waste quantity, not container capacity
  - use pound, kilograms, liters, or gallons unless “very large bulk shipment” (rail cars, tank trucks or barges)
- Waste codes mandatory
- Generator/offeror certification
  - Generator must make waste minimization certification
  - Other party can sign shippers certification

The New Manifest

Certification of “Offeror”



Original Generator

TSDF #1

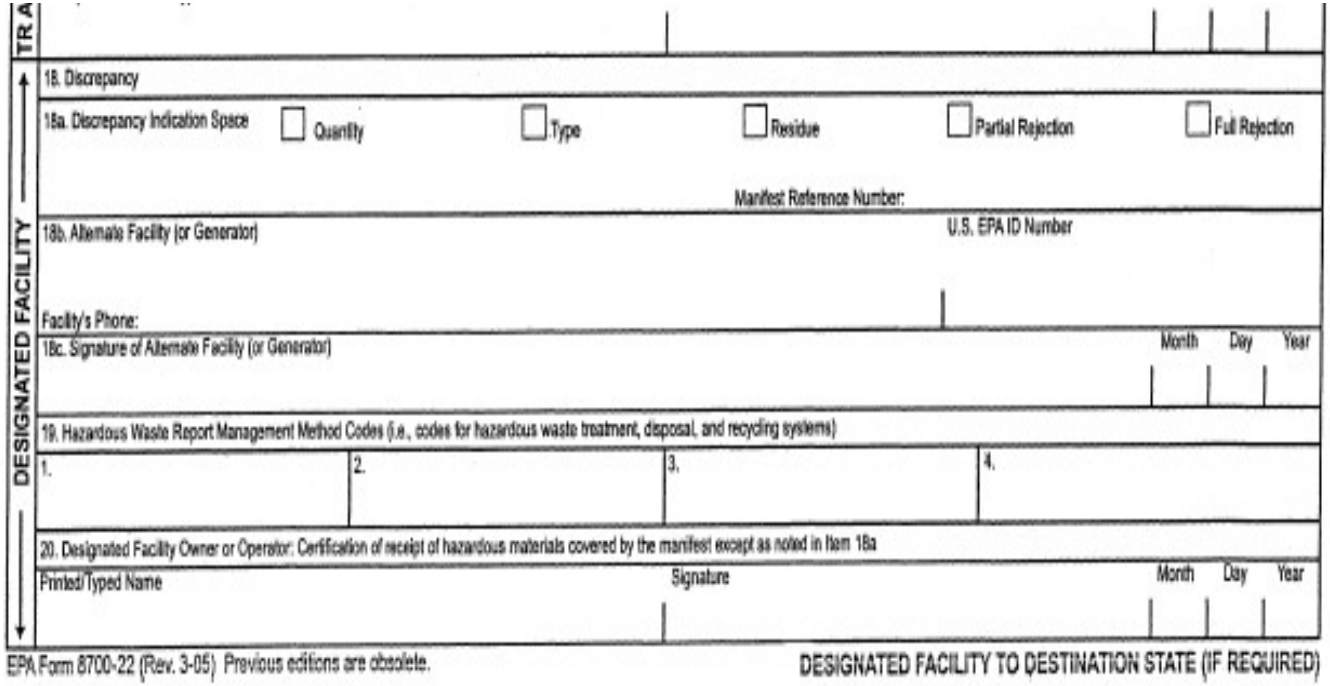
TSDF #2

The New Manifest

Revised discrepancy block

- Boxes added for rejecting waste or residue
- Space to cross reference manifest numbers if a new manifest is generated
- Space to designate alternate facility
- Space for signature of alternate facility

Revised Discrepancy Block



TR A

DESIGNATED FACILITY

18. Discrepancy

18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☐ Full Rejection

Manifest Reference Number:

18b. Alternate Facility (or Generator) U.S. EPA ID Number

Facility's Phone:

18c. Signature of Alternate Facility (or Generator) Month Day Year

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)

1.	2.	3.	4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a

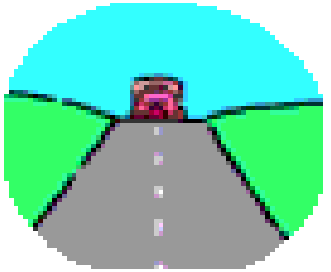
Printed/Typed Name Signature Month Day Year

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete. DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

The New Manifest

Tracking Rejected/Forwarded Wastes and Container Residues

- Rejecting facility must coordinate with generator
- May or may not need new manifest



The New Manifest

Tracking Rejected/Forwarded Wastes and Container Residues

Can use original manifest to ship to alternate facility or back to generator:

- Only if full shipment rejected and transporter still present when rejected
- Note information for next destination facility in discrepancy block
- Rejecting facility keeps a copy of form

The New Manifest

Tracking Rejected/Forwarded Wastes and Container Residues

New manifest must be used:

- if partial shipment or container residue is rejected or
- If full load rejected after transporter has left
- Close out original manifest - copy to generator, rejecting facility keeps a copy (Sometimes follow up revised copy of original manifest to generator also needed)

The New Manifest

Tracking Rejected/Forwarded Wastes and Container Residues

EPA ID number on new manifest:

- Shipment to alternate facility - use original generator's EPA ID #
- Shipment back to generator - use rejecting facilities EPA ID #
- Rejecting TSDF signs new manifest as "offeror" as opposed to generator

The New Manifest

Tracking Rejected/Forwarded Wastes and Container Residues

- Wastes returned to generators can be accumulated by generator another 90/180/270 days
- Waste rejected by designated TSDF can be staged at the TSDF prior to forwarding for up to 60 days

Electronic Manifesting

- April 18, 2006 NODA
- Shift toward centralized national e-manifest
- Considering mandatory use
- Fees
- Comments due June 19th

Burden Reduction Rule

- April 4, 2006 Final Rule
- Over 100 changes to recordkeeping/reporting
- States can make similar changes
- Container/tank inspections – weekly vs daily
- LDRs – generators may opt not to determine whether standards are met and to send waste to a treatment facility
- Many TSDF record retention changing to 3 years instead of operating life of facility

Standardized Permits

- Sep 8, 2005 Final Rule
- Eligible facilities
  - those that generate and then store and/or non-thermally treat their own waste
  - those which receive waste generated offsite by a generator under the same ownership. For Federal facilities, waste is considered to be under the same ownership if generated within the same Federal agency
  - (Not available in all states)

Standardized Permits

- Expedites permit – less info submitted for review and approval
- Permit applicant certifies compliance with new 40 CFR 267
- Permit comprised of “Uniform" permit conditions and supplemental portion at discretion of Agency

Mercury Containing Equipment

- August 5, 2005 Final Rule
- Expands Universal Waste Provisions beyond thermostats
- MCE = a device or part of a device (including thermostats, but excluding batteries and lamps) that contain elemental mercury integral to its function
- Applies to equipment containing ampules, mercury in open original housings, mercury ampules removed from equipment, open housings removed from equipment and immediately sealed, and ancillary parts of MCE that may have mercury in them, such as valves

RCRA Regulatory Update

Summary

- The New Manifest - Sep 5, 2006 in all States
- E-Manifesting
- Burden Reduction - Effective Federally
- Standardized Permits - Effective Federally
- MCE - Effective Federally